

Notice of Allowability

Application No.

10/622,767

Examiner

Manglesh M. Patel

Applicant(s)

PLASTINA ET AL.

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to (RCE) filed on 4/2/07.
2. ☒ The allowed claim(s) is/are 17-23,26,28,39 and 41-43.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

I. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with James J. Barta on June 8, 2007.

EXAMINER'S PROPOSED AMENDMENT

Claims

Please Replace All Claims With the Following:

Claims 1-16 (canceled).

Claim 17 (currently amended). A method for processing image files, said method comprising:

sending, from a computing device to a metadata provider, an identifier value associated with a media file, said identifier value being associated with an identifier, said identifier comprising WMCollectionID, said media file storing media content to be rendered with an application program executed by the computing device, wherein the media content comprises audio data;

receiving metadata corresponding to the media content stored in the media file from the metadata provider in response to the sent identifier value, said received metadata including an image file; and

storing the received image file in a directory with the media file, said received image file comprising album cover art associated with the audio data, said received image file having a filename, said filename comprising an identifier value corresponding to the media content stored in the media file, wherein storing the received image file in the directory with the media file comprises overwriting an existing image file stored in the directory with the received image file.

Claim 18 (original). The method of claim 17, wherein the application program comprises at least one of the following: a media player and an operating system shell.

Claim 19 (original). The method of claim 17, further comprising:

receiving the identifier value from the metadata provider; and
generating the filename with the received identifier value.

Claim 20 (original). The method of claim 17, further comprising:

generating the identifier value; and

creating the filename with the generated identifier value.

Claim 21 (original). The method of claim 17, wherein the image file comprises a reference to image data.

Claim 22 (original). The method of claim 21, wherein the reference comprises a hyperlink.

Claim 23 (original). The method of claim 17, wherein the identifier value comprises a globally unique identifier.

Claim 24 (canceled).

Claim 25 (canceled).

Claim 26 (original). The method of claim 17, wherein the metadata provider comprises at least one of the following: a user, a local computing device, and a third party art provider.

Claim 27 (canceled).

Claim 28 (currently amended). The method of claim 17, wherein one or more computer storage ~~computer-readable~~ media have computer-executable instructions ~~for performing the method, and further comprising executing said computer-executable instructions to perform said sending, said receiving, and said storing.~~

Claims 29-38 (canceled).

Claim 39 (currently amended). A computer storage ~~computer-readable~~ medium having stored thereon a data structure representing a file directory accessible by a computing device, said data structure comprising:
a media file storing media content for rendering with an application program executed by the computing device, said media file storing audio data; and
an image file corresponding to the media file, said image file storing album cover art associated with the audio data, said image file having a filename associated therewith, said filename comprising an identifier value associated with the media content in the media file corresponding thereto, wherein the application program displays the image file having the filename including the identifier value associated with the media file when the application program renders the media file, wherein said identifier value has an identifier associated therewith, said identifier comprising WM/WMCollectionID, wherein the image file is stored with the media file in the file directory by overwriting an existing image file stored in the file directory with the image file.

Claim 40 (canceled).

Claim 41 (currently amended). The computer storage ~~computer-readable~~ medium of claim 39, wherein the identifier value comprises a globally unique identifier.

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Claim 42 (currently amended). The computer storage ~~computer-readable~~ medium of claim 39, wherein the image file comprises a reference to image data.

Claim 43 (currently amended). The computer storage ~~computer-readable~~ medium of claim 42, wherein the reference comprises a hyperlink.

Claims 44-51 (canceled).

REASONS FOR ALLOWANCE

2. Claims 17-23, 26, 28, 39 and 41-43 are allowed.

3. The prior art of record fails to disclose or suggest features in the Proposed Amendment.

4. The following is an examiner's statement of reasons for allowance: The 37 CFR 1.131 declaration and exhibits submitted with the RCE on 4/2/2007 was sufficient to overcome the MusicMatch Jukebox reference date of Feb 7, 2003.

Therefore the reference is invalid. The Meyer's reference teaches the use of metadata to obtain information about a media file.

However Meyers does not explicitly teach that Album art is retrieved with the metadata information. Furthermore the claims describe the use of a specific type of metadata such as WMCollectionID. The WMCollectionID is associated with media files that are part of (WINDOWS MEDIA PLAYER) program from Microsoft. Although the metadata is used to obtain Album art associated with the media files which Meyer's fails to disclose, the unique features has described in the claims teaches the organization and structuring of the media files. The claims describe storing the image file in a directory with the media file. Prior art fails to teach the organization and storage of album art with media files. Furthermore the claims describe the overwriting of existing image files hence improving the organization of the media/audio files with the album art associated with the songs. Existing systems download album art from metadata providers and store the downloaded art with a generic filename in the directory storing the media file. This generic filename convention limits each file system or other directory storing media content to a single item of album art. When attempting to display album art for a media file, an operating system shell or the media player searches for album art stored in the media file and for album art stored via the generic filename. This becomes a problem when the user has directories of mixed music files, as such the album art with the generic filename may not be associated with every item in the directory. This invention provides a sufficient advantage to this problem by storing the image files in a directory with the media file.

Furthermore, the claimed feature would not have been obvious to a person of ordinary skill in the art at the time of the invention in view of the prior art of record. Because Meyer's fails to teach the features recited in the independent claims has described above. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee

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and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled

Comments on "Statements of Reasons for Allowance".

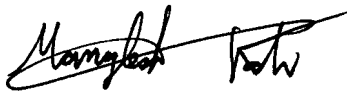
CONCLUSION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manglesh M. Patel whose telephone number is (571) 272-5937. The examiner can normally be reached on M, W 6 am-3 pm T, TH 6 am-2pm, Fr 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Manglesh M. Patel
Patent Examiner
June 8, 2007



STEPHEN HONG
SUPERVISORY PATENT EXAMINER